

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rebecca Elizabeth Brown, et al.

DT09 Rec'd PCT/PTO 19 AUG 2004

Serial No. \_\_\_\_\_

Art Unit: \_\_\_\_\_

Filed: \_\_\_\_\_

Examiner: \_\_\_\_\_

For: HETEROAROMATIC UREA DERIVATIVES AS VR-1  
RECEPTOR MODULATORS FOR TREATING PAINCommissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

## EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT August 19, 2004EXPRESS MAIL NO. 950421344886113I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
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## INFORMATION DISCLOSURE STATEMENT

10/505358

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

*David A. Rubin*

By: David A. Rubin

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 40,314

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

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(732)594-2675

Date: August 19, 2004

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>COMPLETE &amp; KNOWN</b>		
			Application Number <b>DT09 Rec'd PCN 10 19 AUG 2004</b>		
			Filing Date <b>10/505358</b>		
			First Named Inventor Rebecca Elizabeth Brown		
			Group Art Unit		
			Examiner Name		
Sheet	2	of	2	Attorney Docket Number T1566P	

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		Enamine Product Listing, <u>2002:280319, Chemcats</u> , (November 15, 2001).
		Scientific Exchange Product List, <u>2003:2364305, Chemcats</u> , (January 1, 2003).
		SHIV K. AGARWAL, et al., <u>Indian Journal of Chemistry</u> , Vol. 31B, pp. 177-182, (March 1992).
		TERUKI HONMA, et al., <u>Journal of Medicinal Chemistry, American Chemical Society</u> , Vol. 44, pp. 4615-4627, (2001).
		HENRYKA PORADOWSKA, et al., <u>Roczniki Chemii Annales Societatis Chimicae Polonorum</u> , Vol. 49, pp. 1577-1580, (1975).
		HENRYKA PORADOWSKA, et al., <u>Polish Journal of Chemistry - Polish Chemical Society</u> , Vol. 53, pp. 1895-1900, (1979).
		J. H. MUSSER, et al., <u>Journal of Medicinal Chemistry, American Chemical Society</u> , Vol. 30, No. 1, pp. 62-67, (1987).
		K. C. JOSHI, et al., <u>Journal of the Indian Chemical Society, The Indian Chemical Society</u> , Vol. 54, pp. 1104-1105, (1977).
		S. M. SONDHI, et al., <u>Monatshefte Fur Chemie Chemical Monthly</u> , Vol. 131, No. 5, pp. 511-520, (2000).
		JEWOO LEE, et al., <u>Bioorganic &amp; Medicinal Chemistry</u> , Vol. 9, pp. 1713-1720, (2001).

Examiner Signature	Date Considered
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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